

**U.S. DISTRICT COURT, DISTRICT OF COLORADO
PRO BONO COUNSEL / CO-COUNSEL PROGRAM
CASES AWAITING VOLUNTEER COUNSEL
(Current as of May 20, 2013)**

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I. A Brief Breakdown of the Available Cases:

A. “Prisoner” cases:

These are essentially 42 U.S.C. § 1983 prisoner civil rights prison condition cases – they are *not* habeas corpus petitions that require in-depth knowledge and practice with criminal law.

3 of the cases involve federal defendants.

3 of the cases are against the Colorado Dept. of Corrections, or individual corrections officers.

1 cases asserts an excessive force claim against an El Paso County Sheriff’s deputy.

1 asserts excessive force and retaliation claims against the U.S. Bureau of Prisons.

1 asserts 8th and 14th Amendment claims against federal prosecutors and BOP officials for his refusal to cooperate in a high publicity federal prosecution for lack of placement in special housing, resulting in a deteriorated medical condition, because of media attention to the case.

1 asserts ADA / Rehab. Act claims against the DOC for denial of reasonable accommodation; plaintiff has severely reading and writing abilities.

1 asserts claims against the City of Denver, Denver Health Medical Center, et al., for inadequate medical care, for denial of dental treatment.

1 asserts claims against the Colo. Dept. of Corrections for failure to adequately protect, as a female prisoner, sexual assaults in the facility. She also raises ADA and RLUIPA claims.

B. 2 “Pro Se” Non-prisoner cases:

1 asserts employment discrimination claims (ADA, Age Discrimination, and tort claims) against his employer after being reassigned to a lower job classification on return from an extended illness.

1 asserts 8th Amendment Cruel and Unusual Punishment for his previous experiences as an inmate, retaliation for filing grievances, and a product liability claim against Taser device maker.

Defendant has been released.

Trial Status:

A. CASES ON TRIAL TRACK:

1. **11-cv-03324-WJM-MJW – Shawn Mandel Winkler v. Robert Dick, et al.** Prisoner's Third Proposed 8th Amend. Complaint filed 6/05/12. Scheduling Conference held on 6/11/2012. Discovery due by 12/31/2012. Dispositive Motions due by 1/31/2013.
2. **11-cv-01868-REB-MEH – Dexter Harris v. Denver Health Medical Center et al.** Discovery due by 10/31/2012. Dispositive Motions due by 11/30/2012. Final Pretrial Conference set for 1/28/2013 at 9:30 AM.
3. **12-cv-00334-RBJ-MJW – Brian Hicks v. Stephanie Podolak, et al.** Discovery due by 2/28/2013. Dispositive Motions due by 3/28/2013. Proposed Pretrial Order due by 4/30/2013. Final Pretrial Conference set for 5/29/2013 09:00 AM.
4. **11-cv-01756-DME-MJW, Marcus L. Freeman v. Woolston, Vocational Instructor, et al.** Dispositive Motions due by 8/3/2012. Status Conference set for 4/2/2012 09:00 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. Proposed Pretrial Order due by 9/27/2012. Final Pretrial Conference set for 10/4/2012. Minute ORDER granting Motion to Vacate Final Pretrial Conference, entered by Magistrate Judge Michael J. Watanabe on 9/11/12, because of pending cross dispositive motions. FINAL PRETRIAL ORDER entered by Magistrate Judge Michael J. Watanabe on 5/8/2013. **Trial date set for Oct. 7-10, 2013.** Trial Preparation Conference - Oct. 2nd, 10:00 a.m.

B. CASES IN PRETRIAL STAGES:

1. **12-cv-01379-WJM-MJW – Eldridge L. Griffin v. Bernadette Scott, ADA Facility Coordinator, et al.** MINUTE ENTRY for proceedings held before Magistrate Judge Michael J. Watanabe: Scheduling Conference held on 12/14/2012. Discovery due by 5/31/2013. Dispositive Motions due by 6/28/2013. Proposed Pretrial Order due by 8/19/2013. Final Pretrial Conference set for 8/22/2013 09:00 AM.
2. **12-cv-01175-PAB-MJW Gerald McCollum v. USA.** Scheduling Conference held on 9/5/2012. Discovery due by 3/4/2013. Dispositive Motions due by 4/8/2013. Proposed Pretrial Order due by 6/3/2013. Final Pretrial Conference set for 6/7/2013 09:00 AM.
3. **12-cv-00609-WYD-MJW - Jill Coit v. Zavaras, et al.** Deadline to file joint Proposed Scheduling Order 10/29/2012.
4. **11-cv-03248-MSK-MJW - Alan C. Lammle v. Ball Aerospace & Technologies.**

Scheduling Conference/Motion Hearing held on 3/16/2012. Discovery due by 11/5/2012. Dispositive Motions due by 12/17/2012.

II. Individual Summary of the Available Cases:

Case Number:	Civil Action No. 12–cv–00334–RBJ–MJW Brian Hicks V. Stephanie Podolak, et al.
Cause:	42:1983 Prisoner Civil Rights (Plaintiff is located at Englewood Federal Correctional Institution.)
Claims:	<p><i>[From April 12, 2012 Order to Dismiss In Part and to Draw Case.]</i></p> <p>Mr. Hicks alleges that he was investigated while incarcerated in the Denver County Jail in connection with the 2007 drive-by shooting of Denver Broncos cornerback Darrent Williams. He appears to have been convicted on state charges in connection with the shooting. He alleges he was transferred to federal custody after being indicted on federal drug charges in a case currently pending before this Court. See <u>United States v. Brooks</u>, No. 07-cr-00184-WYD-4 (D. Colo.). He contends he was transferred to the federal prison SHU at the direction of Defendant X, the United States attorney involved in his federal criminal case, apparently for his failure to cooperate with law enforcement in connection with the federal case.</p> <p>As his first claim, he contends that, pursuant to 42 U.S.C. § 1985(3), Defendants conspired with each other to keep him housed in solitary confinement. In claim two, he argues that based upon his long SHU incarceration and the deterioration in his medical condition as a type-2 diabetic, the conditions of his confinement have subjected him to cruel and unusual punishment under the Eighth Amdt. He further alleges that these conditions have subjected him to atypical and significant hardship under the Fourteenth Amdt. As his third claim, Mr. Hicks asserts that Defendants Shawn Davis and Blake Davis are interfering with his access to the courts by refusing to respond to certain of his administrative appeals and that BOP personnel and the prison law library have failed to provide him with adequate legal resources to initiate in a timely manner a civil suit challenging the conditions of his confinement. In claim four, he alleges that Defendants violated his equal protection rights by placing him in segregation because of media attention focused on his case while other inmates allegedly indicted on similar drug charges were not placed in segregation. As his fifth claim, he asserts a supplemental jurisdiction claim of intentional infliction of emotional distress based upon his SHU placement.</p>
04/12/2012	ORDER to Dismiss in Part and to Draw Case to A District Judge and a Magistrate Judge. The claims against Defs. Nalley and Watts are dismissed as legally frivolous, by Judge Lewis T. Babcock.
10/30/2012	(SECOND AMENDED) Prisoner COMPLAINT against Steve Brown, Johnny Chavez, Blake Davis, Shikah Dosanj, Rene Garcia, Shon Kuta, Stephanie Podolkak, Sean Snider, United States of America, filed by Brian Hicks.
11/01/2012	MINUTE ORDER granting Plaintiff's Motion to Amend the Scheduling Order. The deadline to disclose experts is extended to December 3, 2012; rebuttal experts is extended to January 3, 2013; written discovery in the forms of interrogatories, requests for production of documents, and requests for admissions is extended to February 25, 2013. The deadline to complete discovery is extended to April 1, 2013. The deadline to file dispositive motions is extended to May 1, 2013. By Magistrate Judge Michael J. Watanabe on 11/01/12.

[3 pending motions to dismiss.]

Case Number: 11-cv-01756-DME-MJW

Case Name: Marcus L. Freeman v. Woolston, Vocational Instructor, et al.

Nature of Action: Cause: 28:1331 Federal Question: Bivens Act

The plaintiff is incarcerated at U.S. Penitentiary, Lewisburg, PA.

Claims: Plaintiff claims two unjustified assaults on him took place on two separate occasions by prison officials at USP Florence, Colorado. Plaintiff claims he was seeking use of a typewriter. He asserts violations of the Eighth Amendment because of defendants' use of excessive force, and retaliation against him.

Schedule/Notable Filings:

01/23/2012 COURTROOM MINUTES/MINUTE ORDER for proceedings held before Magistrate Judge Michael J. Watanabe: Scheduling Conference held on 1/23/2012. Discovery due by 6/22/2012. Dispositive Motions due by 8/3/2012. Status Conference set for 4/2/2012 09:00 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. Proposed Pretrial Order due by 9/27/2012. Final Pretrial Conference set for 10/4/2012 09:00 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe.

08/03/2012 MOTION for Summary Judgment by Defendants Liken, Woolston.

09/04/2012 MOTION for Summary Judgment, by Plaintiff Marcus Leland Freeman.

03/28/2013 ORDER Adopting and in Part, Rejecting in Part the Magistrate Judge's Recommendation. The magistrate judge's report and recommendation 186 is, thus, ADOPTED in part and REJECTED in part. Freeman's motion for summary judgment 151 is DENIED in full. Defendants' motion for summary judgment 129 is GRANTED in part and DENIED in part.

05/08/2013 FINAL PRETRIAL ORDER entered by Magistrate Judge Michael J. Watanabe on 5/8/2013. Trial date set for Oct. 7-10, 2013. Trial Preparation Conference - Oct. 2nd, 10:00 a.m.

Case Number: 11-cv-03324-WJM-MJW

Shawn Mandel Winkler v. Robert Dick, et al.

Cause of Action: 42:1983 Prisoner Civil Rights

Plaintiff has been released and resides in Colorado Springs.

Claims: [Summary from Court's 3/13/12 Order to Dismiss in Part:]

Mr. Winkler asserts four claims in the amended complaint. As his **first claim**, Mr. Winkler asserts that he was transported to the Sterling Regional Medical Center on August 12, 2011, to be treated for accidental poisoning. He alleges that on August 14, 2011, while he was semi-conscious and restrained in a hospital bed, Defendants John Doe 1 and John Doe 2 **maliciously discharged the "Bandit" taser device** attached to his leg, causing convulsions, sharp pain, and a severe burn to his right calf. As his **second claim**, Mr. Winkler asserts that he attempted to file grievances related to the Bandit incident, but Defendant Wesly Wilson told him that his grievance "would go nowhere" and **threatened to retaliate** against Mr. Winkler if he continued the grievance process. **Third**, Mr. Winkler asserts that he has been subject to **retaliation for his legal activities** and that on September 29, 2011, Defendants Bradshaw and Lozier searched his cell and confiscated all of his legal papers and evidence documenting the retaliation. Mr. Winkler asserts that Defendant Robert Dick told Mr. Winkler that he had ordered the search of Mr. Winkler's and that he would generate false paperwork to demonstrate that Mr. Winkler was violating facility rules. **Fourth**, Mr. Winkler asserts that **the "Bandit" taser device has a faulty design**, and has also been used to "brand" other inmates at the Sterling Correctional Facility. Mr. Winkler asserts that his **Eighth Amendment right to be free from excessive force and cruel and unusual punishment has been violated**, and he seeks damages as relief.

Schedule/Notable Filings:

05/03/2012 MOTION to Dismiss for Failure to State a Claim by Defendant Karbon Arms.

06/05/2012 Proposed Third (3d) AMENDED COMPLAINT.

06/11/2012 COURTROOM MINUTES/MINUTE ORDER for proceedings held before Magistrate Judge Michael J. Watanabe: **Scheduling Conference** held on 6/11/2012. **Discovery due by 12/31/2012. Dispositive Motions due by 1/31/2013.** Plaintiff to respond to Motion to Dismiss 62 on or before 6/18/2012. Order to Show Cause 53 is made absolute; Court will issue recommendation to dismiss the John Doe defendants.

02/19/2013 ORDER The Magistrate Judges Recommendation ECF No. 146 is ADOPTED in its entirety; Plaintiffs Motion for Preliminary Injunction and TRO ECF No. 100 is DENIED as MOOT; Defendant Karbon Arms 62 Motion to Dismiss Pursuant to Fed. R. Civ. P 12(b)(6) is GRANTED. Claim Four is hereby DISMISSED WITHOUT PREJUDICE.

Case Number: 12-cv-00609-WYD-MJW

Case Name: Jill Coit v. Zavaras, et al.

Nature of Action: Cause: 42:1983 Prisoner Civil Rights

Plaintiff is incarcerated in Lowell Correctional Institution, Ocala, FL

Claims: (From Defendants' Motion to Dismiss):

Plaintiff is a pro se inmate who was previously incarcerated in the Colorado Department of Corrections ("CDOC"). Plaintiff is serving a life sentence for murder pursuant to a conviction in the state of Colorado, but has been transferred to the Florida Department of Corrections and is currently serving her sentence there. **In Claim One, Plaintiff alleges that from October of 2009 to June of 2010, she was sexually assaulted by a prison staff member, Defendant Dussart.** Doc. 20, Amended Complaint, pp. 9-22. She alleges that she reported the assault, but Defendants Zavaras (the former Executive Director of the CDOC), Welton, Reid, Waide, Hougnon, and Carson failed to adequately investigate her allegations and failed to adequately protect her from Defendant Dussart. Id.

In Claim Two, Plaintiff alleges that John Doe Defendants tampered with her legal mail and the prison legal mail log, in a conspiracy to deny her access to the courts. She asserts Defendants Zavaras and Carson are also liable for this claim. **In Claim Three, Plaintiff alleges that Defendants Frantz and Shoemaker violated her Eighth Amendment rights, her First Amendment rights, and her rights under the Americans with Disabilities Act (ADA) by denying and/or delaying prescribed medical treatments, evaluations and appliances/aids for chronic medical problems.** Sporadically throughout the Amended Complaint, Plaintiff also asserts that her religious rights were violated under the Religious Land Use and Institutionalized Persons Act (RLUIPA).

Schedule/Notable Filings:

- 09/06/2012 MINUTE ORDER for proceedings held before Magistrate Judge Michael J. Watanabe: Scheduling Conference / Show Cause Hearing set for 11/5/2012 08:30 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. Deadline to file joint Proposed Scheduling Order 10/29/2012.
- 10/09/2012 MOTION to Dismiss Pursuant to Fed.R.Civ.P. 12(B)(6) in Part by Defendants.
- 11/05/2012 MINUTE ORDER for proceedings held before Magistrate Judge Michael J. Watanabe: Scheduling Conference held on 11/5/2012. Discovery due by 5/15/2013. Dispositive Motions due by 6/17/2013. Proposed Pretrial Order due by 8/15/2013. Final Pretrial Conference set for 8/20/2013 09:30 AM.
- 04/19/2013 ORDER. ORDERED that the Recommendation of the United States Magistrate Judge, 153 is AFFIRMED and ADOPTED as an order of this court. In accordance therewith, the claims asserted against defendant Michael Dussart, Jane/John Doe #1, Jane/John Doe #2, and Jane/John Doe #3 are DISMISSED

WITHOUT PREJUDICE purs. to Fed.R.Civ.P. 4(m) and D.C.COLO.LCivR 41.1.

Case Number: 12-cv-01379-WJM-MJW

Eldridge L. Griffin v. Bernadette Scott, ADA Facility Coordinator, et al.

Cause: Cause: 42:1983 Prisoner Civil Rights

Plaintiff is incarcerated at Sterling Correctional Facility (SCF).

Claims: *[From the Court's Order to Dismiss in Part and to Draw Case.]*

Mr. Griffin asserts three claims for relief in the amended Prisoner Complaint. He first claims that he was imprisoned illegally at the El Paso County Jail pursuant to a parole hold for more than fourteen months following his arrest on September 9, 2010. Mr. Griffin's second claim in the amended Prisoner Complaint relates to medical treatment he received in 2008 while he was incarcerated at the Denver Reception and Diagnostic Center, regarding being denied high blood pressure medication. Mr. Griffin's third claim in the amended Prisoner Complaint relates to alleged discrimination by prison officials because of a vision disability. Mr. Griffin specifically claims that the **alleged disability-based discrimination violates his rights under Title II of the Americans with Disabilities Act (ADA)**, 42 U.S.C. § 12132, and § 504 of the Rehabilitation Act of 1973 (Rehabilitation Act), 29 U.S.C. § 794. He apparently also asserts claims pursuant to 42 U.S.C. § 1983 in which he contends that his constitutional rights have been violated as a result of the disability-based discrimination.

[From Oct. 15, 2012 Status Conference:]

Pro Se plaintiff, who is incarcerated at Sterling Correctional Facility, advises the Court he is unable to read or write. Plaintiff represents that in order to file any documents with the court and/or review any documents from the court, he must seek out assistance from fellow inmates who either write what he dictates or read court documents to him.

Schedule/Notable Filings:

- 09/10/2012 ORDER to Dismiss in Part and to Draw Case to a District Judge and to a Magistrate Judge. FURTHER ORDERED that Defendants John Hickenlooper, DOC Executive Director Tom Clements, Parole Officer Roberts, Raidah Shepard, and the Defendant identified as Jane and John Doe are dismissed as parties to this action. FURTHER ORDERED that this case shall be drawn to a district judge and to a magistrate judge, by Judge Lewis T. Babcock on 9/10/12.
- 09/11/2012 MOTION for Order for Accommodations for ADA when in the Hole by Plaintiff Eldridge L. Griffin.
- 11/20/2012 MOTION to Dismiss Amended Complaint (Doc. 14) by Defendants Amy Cosner, Amy (I) Cosner, Bernadette Scott, Bernadette (I) Scott.
- 12/14/2012 MINUTE ENTRY for proceedings held before Magistrate Judge Michael J. Watanabe: Scheduling Conference held on 12/14/2012. Discovery due by 5/31/2013. Dispositive Motions due by 6/28/2013. Proposed Pretrial Order due by 8/19/2013. Final Pretrial Conference set for 8/22/2013 09:00 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe.

Case Number: **12-cv-01175-PAB-MJW**

Gerald McCollum v. USA

Cause: **Cause: 42:1983 Prisoner Civil Rights**

Plaintiff is incarcerated at USP Allenwood, Pa.

Claims: *[From the Court's Recommendation on Defendant United States of America's Partial Motion to Dismiss.]*

Pro se plaintiff Gerald McCollum asserts the following in his Complaint (Docket No. 1) and in his three granted motions to amend (Docket Nos. 20, 27, 34). Plaintiff is currently in the custody of the Federal Bureau of Prisons ("BOP") at the United States Penitentiary in Lewisburg, Pennsylvania. On August 17, 2012, while being escorted by several BOP employees, plaintiff was ordered to "shut-up." When plaintiff failed to comply, he was "viciously thrown to the ground and kneed in [his] back." Plaintiff claims he suffered a severe back injury yet failed to receive medical care until seventeen days later. Further, plaintiff claims that when he did receive medical attention, only an x-ray was performed, and staff refused to do a MRI in order to cover up the injury. Liberally read, plaintiff's Complaint appears to assert two claims, both of which seek damages under the Federal Tort Claims Act ("FTCA"). The first claim asserts that BOP employees committed an unlawful assault and battery on him. The second claim asserts medical negligence by defendant.

Schedule/Notable Filings:

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| 09/05/2012 | ORDER ACCEPTING MAGISTRATE JUDGE'S 43 RECOMMENDATION. Defendant United States of America's 22 Partial Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) is granted. Plaintiff's claim for medical negligence is dismissed. By Judge Philip A. Brimmer on 9/5/12. |
| 09/05/2012 | COURTROOM MINUTES/MINUTE ORDER for proceedings held before Magistrate Judge Michael J. Watanabe: Scheduling Conference held on 9/5/2012. Discovery due by 3/4/2013. Dispositive Motions due by 4/8/2013. Proposed Pretrial Order due by 6/3/2013. Final Pretrial Conference set for 6/7/2013 09:00 AM in Courtroom A 502 before Magistrate Judge Michael J. Watanabe. |
| 04/08/2013 | MINUTE ORDER granting 69 Motion for Extension of Time. Dispositive Motions due by 6/10/2013. Final Pretrial Conference reset for 8/12/2013 at 11:00 AM before Magistrate Judge Michael J. Watanabe. |

Case Number: 11-cv-01868-REB-MEH

Dexter Harris v. Denver Health Medical Center, et al.

Cause: Cause: 42:1983 Prisoner Civil Rights

Plaintiff is incarcerated at Arkansas Valley Correct. Facility , Crowley, CO

Claims: *[From the Court's order re: Recommendation on Def's. Motion to Dismiss.]*

The plaintiff Dexter Harris is or was incarcerated in the Denver County Jail.

According to Mr. Harris, during his incarceration the defendants refused to provide him with any dental treatment, other than tooth extractions. Mr. Harris alleges that this dental care policy has caused him to suffer a variety of deleterious effects, including gum disease, tooth decay, abscesses, and an increasing inability to eat. According to Mr. Harris, these alleged violations began on November 19, 2008, and were ongoing as of the date he wrote his Amended Prisoner Complaint [#6] September 4, 2011. Based on these factual allegations, Mr. Harris alleges that the defendants violated his rights under the Eight and Fourteenth Amendments, and deprived him of due process of law.

Schedule/Notable Filings:

08/27/2012 ORDER CONCERNING RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE. The Recommendation of United States Magistrate Judge 58 is respectfully REJECTED to the extent the magistrate judge recommends that the plaintiff's claims in this case be dismissed in their entirety based on the statute of limitations. Otherwise, the Recommendation of United States Magistrate Judge 58 is APPROVED and ADOPTED as an order of this court.

09/10/2012 ANSWER to 6 Amended Complaint by Denver City and County, Gary Wilson.

09/10/2012 ANSWER to 6 Amended Complaint by Denver Health Medical Center, Denver Health and Hospital Authority (DHHA), Christian Stob.

10/18/2012 MINUTE ORDER granting in part and denying in part Plaintiff's Motion for Extension of Time. Discovery due by 10/31/2012. Dispositive Motions due by 11/30/2012. Final Pretrial Conference set for 1/28/2013 at 9:30 AM in Courtroom A 501 before Magistrate Judge Michael E. Hegarty.

10/26/2012 MINUTE ORDER granting Defendants' Motion to Continue Final Pretrial Conference. Final Pretrial Conference is VACATED AND RESET for 2/14/2013 09:30 AM before Magistrate Judge Michael E. Hegarty.

11/29/2012 MOTION for Summary Judgment by Defendants Denver City and County, Gary Wilson; Defendants Denver Health Medical Center, Denver Health and Hospital Authority (DHHA),

01/31/2013 RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE. The Court respectfully RECOMMENDS that the District Court GRANT the Motion for Summary Judgment by Defendants Denver Health and Hospital Authority and Christian Stob 74 and the Motion for Summary Judgment filed by Defendants

Gary Wilson and the City and County of Denver 76 .

Case Number: 11-cv-03248-MSK-MJW

Alan C. Lammle v. Ball Aerospace & Technologies Corporation

Cause: 42:2000e Job Discrimination (Employment)

Plaintiff resides in the Denver metropolitan area

Claims: *[From the Recommendation of Magistrate Judge on Def's. Motion to Dismiss.]*

PLAINTIFF'S ALLEGATIONS

Plaintiff Alan Lammle asserts the following in his Amended Complaint (Docket No. 16). Plaintiff began his employment with defendant Ball Aerospace & Technologies Corporation in January 2004 as a field technician. On June 10, 2008, plaintiff became ill with pancreatitis and was hospitalized for a period of close to a month. Plaintiff was initially provided short term disability, and later long term disability, before being cleared to return to work on March 2, 2009.

Upon returning to work, plaintiff found that his job responsibilities had changed. Plaintiff was moved from his office and was now assigned to work telephone support in an entry level position. On March 31, 2009, plaintiff filed a Claim of Discrimination with the Equal Employment Opportunity Commission ("EEOC") in which plaintiff alleged discrimination based on age and perceived disability.

On June 13, 2009, plaintiff was again hospitalized for pancreatitis. As with the previous occurrence, plaintiff was placed on short term and then long term disability. In November 2010, plaintiff was informed by defendant's third-party insurance administrator that plaintiff was no longer disabled and was to return to work on December 1, 2010. Upon returning to work on December 1st, plaintiff was informed that his employment with defendant was terminated.

In the present matter, Claim One asserts breach of contract, Claim Two asserts discrimination based on the Americans with Disabilities Act, Claim Three asserts discrimination based on age, Claim Four asserts intentional infliction of emotional distress, Claim Five asserts retaliation, and Claim Six asserts wrongful termination.

Schedule/Notable Filings:

03/16/2012	COURTROOM MINUTES/MINUTE ORDER for proceedings held before Magistrate Judge Michael J. Watanabe: Scheduling Conference/Motion Hearing held on 3/16/2012. Discovery due by 11/5/2012. Dispositive Motions due by 12/17/2012.
07/05/2012	ORDER - The Recommendation issued by Magistrate Judge that Defendant Ball Aerospace's Motion to Dismiss Claims 5 and 6 be granted, it is ordered that the Recommendation is ADOPTED. Plaintiff's 5 TH and 6 th Claims are DISMISSED.
08/14/2012	STIPULATION to Dismiss Plaintiff's Breach of Contract Claim by Plaintiff.
12/17/2012	MOTION for Summary Judgment and Brief in Support by Defendant Ball Aerospace & Technologies Corporation.
04/02/2013	ORDER denying 137 Plaintiff's Motion for Order to Administratively close case.